

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

KATHERINE WILLIAMS,

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:05CV138-P-B

FOOD GIANT SUPERMARKETS, INC.,

DEFENDANT.

ORDER

This matter comes before the court upon Plaintiff's Motion to Remand [7-1]. Upon due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

For the same reasons discussed in *Griffin v. Dolgen Corp., Inc.*, 143 F.Supp.2d 670 (S.D. Miss. 2001), which this court adopts and incorporates herein, the court concludes that the instant motion to remand should be denied. Indeed, the plaintiff has pointed to no mandatory authority that specifically holds that a store manager can be held personally liable in a slip-and-fall case without any evidence of personal knowledge or participation in the circumstances leading up to the fall. Accordingly, the court concludes that the defendant has met their burden in demonstrating that there is no reasonable possibility of recovery against the store manager in this case.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Plaintiff's Motion to Remand [7-1] is **DENIED**; and
- (2) All of the plaintiff's claims against Michael Randle are **DISMISSED WITH PREJUDICE**.

SO ORDERED this the 21st day of June, A.D., 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE